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Gangs in Central America

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Summary

Congress has maintained an interest in the effects of gang violence in Central America, and on the expanding activities of transnational gangs with ties to that region operating in the United States. Since FY2008, Congress has appropriated significant amounts of funding for anti-gang efforts in Central America, as well as domestic anti-gang programs. This report focuses primarily on U.S.-funded international anti-gang efforts.

The *Mara Salvatrucha* (MS-13) and its main rival, the “18th Street” gang (also known as M-18), continue to threaten citizen security and challenge government authority in Central America. Gang-related violence has been particularly acute in Honduras, El Salvador, and Guatemala, which have had among the highest homicide rates in the world. Recently, some governments have moved away from repressive anti-gang strategies, with the government of El Salvador having facilitated a historic—and risky—truce involving the country’s largest gangs in 2012. The truce contributed to a large reduction in homicides, before beginning to unravel in recent months. The truce carries risks for the Salvadoran government that will take office on June 1, 2014, such as what might happen if the gangs were to walk away from the truce stronger than before and/or if the truce were to end abruptly and prompt an escalation in intra-gang violence.

U.S. agencies have engaged on both the law enforcement and preventive sides of dealing with Central American gangs; an inter-agency committee developed a *U.S. Strategy to Combat Criminal Gangs from Central America and Mexico* that was announced in July 2007. The strategy focuses on diplomacy, repatriation, law enforcement, capacity enhancement, and prevention. An April 2010 study by the Government Accountability Office (GAO) recommended that U.S. agencies consider strengthening the anti-gang strategy by developing better oversight and measurement tools to guide its implementation. U.S. law enforcement efforts may be bolstered by the Treasury Department’s October 2012 designation of the MS-13 as a major Transnational Criminal Organization (TCO) subject to sanctions pursuant to Executive Order (E.O.) 13581.

In recent years, Congress has dedicated funding to support anti-gang efforts in Central America. Between FY2008 and FY2013, Congress appropriated roughly \$38 million in International Narcotics Control and Law Enforcement (INCLE) funds for anti-gang efforts in Central America. Congress provided additional support in FY2008 and FY2009 for anti-gang efforts in the region through the Mérida Initiative, a counterdrug and anticrime program for Mexico and Central America, and, more recently, through the Central American Regional Security Initiative (CARSI). Congressional oversight may focus on the efficacy of anti-gang efforts in Central America; the interaction between U.S. domestic and international anti-gang policies, and the impact of the Treasury Department’s TCO designation on law enforcement efforts against MS-13.

This report describes the gang problem in Central America, discusses country approaches to deal with the gangs, and analyzes U.S. policy with respect to gangs in Central America. Also see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke.

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Introduction

In recent years, analysts and U.S. officials have expressed ongoing concerns about the increasing rates of violent crimes committed by drug traffickers, organized criminal groups, and gangs in Central America.¹ Central American governments, the media, and some analysts have attributed a significant proportion of violent crime in that region to youth gangs or *maras*, many of which have ties to the United States. U.S. concerns about gangs have accelerated as the Mara Salvatrucha (MS-13), a particularly violent group with ties to Central America, has increased its presence and illicit activities in the United States.² Policy-makers in countries throughout the region, including in the United States, are struggling to find the right mix of suppressive and preventive policies to confront the gang problem. Most agree that a comprehensive, regional approach to gangs is necessary to prevent further escalation of the problem.

Congress is likely to maintain an interest in crime and gang violence in Central America, as well as the related activities of Central American gangs in the United States. In recent years, Congress has considered what level of U.S. assistance is most appropriate to help Central American countries combat gang activity and what types of programs are most effective in that effort. Members of Congress have also taken an interest in the impact of U.S. deportations of individuals with criminal records to Central America on the gang problem, as well as the evolving relationship between Mexican drug trafficking organizations and the gangs. More recently, there has been congressional interest in the gang truce in El Salvador and the potential implications that its success or failure might have for anti-crime efforts in other countries. Congress may also examine how anti-gang efforts have been affected by the Treasury Department's October 2012 decision to designate and sanction the MS-13 as a significant Transnational Criminal Organization (TCO).³

This report describes the gang problem in Central America, discusses country approaches to deal with the gangs, and analyzes U.S. policy with respect to gangs in Central America. It concludes with possible questions for oversight that Congress may consider.

Scope of the Gang Problem in Central America

Defining Gangs

Academics and other experts on gangs continue to debate the formal definition of the term “gang” and the types of individuals that should be included in definitions of the term. There is general agreement that most gangs have a name and some sense of identity that can sometimes be

¹ The Central American countries include Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. This report focuses on the “northern triangle” countries of Central America where the gang problem has been most acute, which include El Salvador, Guatemala, and Honduras. It refers to the other countries and governments in the region periodically for comparative purposes. For more information, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke.

² U.S. Department of Justice, National Gang Intelligence Center, *National Gang Threat Assessment (NGTA) 2011: Emerging Trends*, 2011.

³ U.S. Department of Treasury, “Treasury Sanctions Latin American Criminal Organization,” press release, October 11, 2012.

indicated by symbols such as clothing, graffiti, and hand signs that are unique to the gang. Gangs are thought to be composed of members ranging in age from 12 to 24, but some gang members are adults well over the age of 24. Typically, gangs have some degree of permanence and organization and are generally involved in delinquent or criminal activity. Gangs may be involved in criminal activities ranging from graffiti, vandalism, petty theft, robbery, and assaults to more serious criminal activities, such as drug trafficking, drug smuggling, money laundering, alien smuggling, extortion, home invasion, murder, and other violent felonies.

The lines between transnational gang activity and organized crime are increasingly blurry. Gangs generally feature horizontal power structures, with many small subgroups (semi-independent “franchises”) and limited central leadership setting strategy and enforcing discipline. While many gangs lack the organizational structure, capital, and manpower required to run sophisticated criminal schemes or to penetrate state institutions at high levels, some (such as the MS-13 and the 18th Street) have become more highly organized.⁴ In Central America, gangs are often involved in the street-level distribution of drugs and in extortion rackets, but MS-13 may also be involved in higher-level criminal drug distribution.⁵

When referring to gangs in Central America, some studies use the term *pandillas* and *maras* interchangeably, while others distinguish between the two.⁶ Studies that make a distinction between the two types of Central America gangs generally define *pandillas* as localized groups that have long been present in the region, and *maras* as a more recent phenomenon that has some transnational roots. Some have more recently classified gangs into “first generation” (localized groups), “second generation” (national groups with some transnational links), and “third generation” gangs. Those analysts have augured that some gangs in the region may be evolving into “third generation” gangs that are “internationalized, networked, and complicated structures.”⁷

Gangs in Central America

The major gangs operating in Central America with ties to the United States are the “18th Street” gang (also known as M-18), and their main rival, the *Mara Salvatrucha* (MS-13).⁸ The 18th Street gang was formed by Mexican youth in the Rampart section of Los Angeles in the 1960s who were not accepted into existing Hispanic gangs. It was the first Hispanic gang to accept members from all races and to recruit members from other states. MS-13 was created during the 1980s by Salvadorans in Los Angeles who had fled the country’s civil conflict. Both gangs later expanded their operations to Central America. This process accelerated after the United States began deporting illegal immigrants, many with criminal convictions, back to the region after the passage

⁴ CRS interview with official from the National Gang Unit of U.S. Immigration and Customs Enforcement (ICE), January 2, 2013.

⁵ Ibid; “Capturan a Salvadoreño en Costa Rica por Secuestro,” *La Prensa Gráfica*, August 11, 2009.

⁶ See, for example, Demoscopia S.A., *Maras y Pandillas: Comunidad y Policía en Centroamérica*, October 2007, as opposed to Dennis Rodgers et al., “Gangs of Central America: Causes, Costs, and Interventions,” *Small Arms Survey Occasional Paper 23*, May 2009.

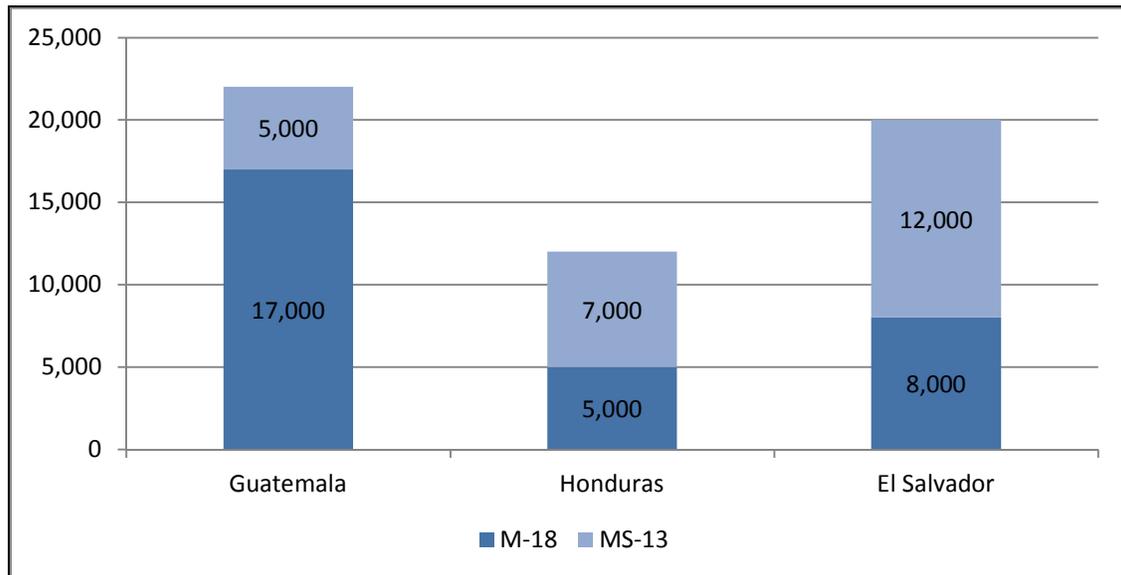
⁷ John P. Sullivan and Adam Eikus, “Global Cities, Global Gangs,” Open Society Net, December 2, 2009.

⁸ For the history and evolution of these gangs in the United States, see Tom Diaz, *No Boundaries: Transnational Latino Gangs and American Law Enforcement*, (Ann Arbor, M.I.: University of Michigan Press, 2009). For a cross-national comparison of gang development, see *Maras: Gang Violence and Security in Central America*, eds. Thomas Bruneau, Lucía Dammert, and Elizabeth Skinner (Austin, TX: University of Texas Press, 2011). Hereinafter: Bruneau, 2011.

of the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) of 1996.⁹ Many contend that gang-deportees “exported” a Los Angeles gang culture to Central America and recruited new members from among the local populations.

Estimates of the overall number of gang members in Central America vary widely, with a top State Department official recently estimating that there may be 85,000 MS-13 and 18th Street gang members in the northern triangle countries (El Salvador, Guatemala, and Honduras).¹⁰ In 2012, the U.N. Office on Drugs and Crime (UNODC) estimated total MS-13 and M-18 membership in Guatemala, El Salvador, and Honduras at a more modest 54,000 (see **Figure 1** below).¹¹ According to UNODC, in 2012 there are roughly 20,000 gang members in El Salvador, 12,000 in Honduras, and 22,000 in Guatemala. El Salvador has the highest concentration of gang members, with some 323 *mareros* (gang members) for every 100,000 citizens, double the level of Guatemala and Honduras. In comparison, in 2007, UNODC cited country membership totals of 10,500 in El Salvador, 36,000 in Honduras, and 14,000 in Guatemala.¹²

Figure 1. Estimated Gang Membership in the Northern Triangle of Central America, 2012



Source: U.N. Office on Drugs and Crime (UNODC), *Transnational Organized Crime in Central America and the Caribbean: a Threat Assessment*, September 2012.

Nicaragua has a significant number of gang members, but does not have large numbers of MS-13 or M-18 members, perhaps due to the fact that Nicaragua has had a much lower deportation rate

⁹ IRIRA expanded the categories of illegal immigrants subject to deportation and made it more difficult for immigrants to get relief from removal.

¹⁰ U.S. Department of State, “Gangs, Youth, and Drugs – Breaking the Cycle of Violence,” Remarks by William R. Brownfield, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, at the Institute of the Americas, press release, October 1, 2012. Hereinafter Brownfield, 2012.

¹¹ U.N. Office on Drugs and Crime (UNODC), *Transnational Organized Crime in Central America and the Caribbean: a Threat Assessment*, September 2012, p. 29. Hereinafter: UNODC, 2012.

¹² UNODC, *Crime and Development in Central America: Caught in the Crossfire*, May 2007, p. 60. Hereinafter: UNODC, 2007.

from the United States than the “northern triangle” countries.¹³ Costa Rica, Panama, and Belize also have local gangs. There are some MS-13 members present in the Costa Rican border regions, as well as increasing numbers of MS-13 members in Belize.¹⁴

While MS-13 and M-18 began as loosely structured street gangs, there is some evidence that both gangs, but particularly the MS-13, have expanded geographically and become more organized and sophisticated. By 2008, U.S. law enforcement had found evidence suggesting that some MS-13 leaders jailed in El Salvador were ordering retaliatory assassinations of individuals in the Washington, DC, metro area, as well as designing plans to unify their *clicas* (cliques) with those in the United States.¹⁵ In 2008-2009, the Federal Bureau of Investigation (FBI) simultaneously arrested gang members in El Salvador and in Charlotte, NC, responsible for carrying out several murders in North Carolina.¹⁶ Ties between some Washington, DC-based cliques and groups in El Salvador are particularly well developed.¹⁷ Studies have shown that, as happened in the United States, gang leaders in Central America have used prisons to increase the discipline and cohesion among their ranks. Still, UNODC maintains that the term “transnational gangs” is misleading when used to describe the *maras*, as their primary focus continues to be on local issues, such as dominating a particular extortion racket or local drug distribution area.¹⁸

Press reports and some Central American officials have blamed MS-13 and other gangs for a large percentage of violent crimes committed in those countries, but some analysts assert that those claims may be exaggerated. UNODC found limited evidence to support that conclusion in 2007, and now maintains that disputes between crime groups over cocaine trafficking routes are the primary driver of violence in most of the region.¹⁹ Gang experts have argued that, although gangs may be more visible than other criminal groups, gang violence is only one part of a broad spectrum of violence in Central America. Still, the decline in homicides that has occurred in El Salvador since the government facilitated a gang truce in March 2012 lends evidence to the assertion that gangs are responsible for a significant percentage of violence in that country.

Although the actual percentage of homicides that can be attributed to gangs in Central America remains controversial, the gangs have unquestionably been involved in a broad array of other criminal activities. Those activities include kidnapping; human trafficking; and drug, auto, and weapons smuggling. Gangs have increasingly been involved in extortions of residents, bus drivers, and business owners in major cities throughout the region. Failure to pay often results in harassment or violence by gang members. In September 2010, to protest recently enacted anti-gang legislation, the MS-13 and 18th Street gangs in El Salvador jointly issued a warning for public transportation operators to stay home for three days or face reprisals; the threats paralyzed the country’s transport system.²⁰ In recent years, gangs have reportedly killed more than 550 Guatemalan bus drivers.²¹

¹³ Rodgers et al., 2009.

¹⁴ CRS interview with official from the National Gang Unit of U.S. Immigration and Customs Enforcement (ICE), January 2, 2013.

¹⁵ U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, *Regional Gang Initiative: Assessments and Plan of Action*, July 1, 2008.

¹⁶ Email from Federal Bureau of Investigation (FBI) official, December 10, 2012.

¹⁷ Geoffrey Ramsey, “Tracking El Salvador’s Mara Salvatrucha in Washington, DC,” *Insight Crime*, October 12, 2012.

¹⁸ UNODC, 2012, p. 28.

¹⁹ UNODC, 2012.

²⁰ “Governments Unite Against *Maras*; *Maras* Against Governments,” *Latin American Regional Report: Caribbean & (continued...)*

While some studies maintain that ties between Central American gangs and organized criminal groups have increased, others have downplayed the connection. A March 2010 report from Mexico's Attorney General's Office reported the presence of MS-13 and 18th Street in 20 of Mexico's 32 states, with the gangs involved in extortion, drug distribution, and migrant smuggling.²² Regional and U.S. authorities have confirmed increasing gang involvement in drug trafficking, although mostly on a local level, as U.S. officials maintain that the gangs "facilitate the logistics and transportation for the trafficking industry in Central America and Mexico."²³ MS-13 members are reportedly being contracted on an ad-hoc basis by Mexico's warring DTOs to carry out revenge killings.²⁴ Some analysts maintain that the relationship between DTOs and gangs appears to be most developed in El Salvador and, to a lesser extent, in Honduras, with few DTO-gang connections in Guatemala, Nicaragua, Costa Rica, or Panama.²⁵

Factors Exacerbating the Gang Problem in Central America

Poverty and a Lack of Educational and Employment Opportunities

Several organizations working directly with gang members have asserted that the combination of poverty, social exclusion, and a lack of educational and job opportunities for at-risk youth are perpetuating the gang problem. In Honduras, for example, close to 30% of the population is youth ages 15-24. Those youth have very limited educational or job opportunities. A 2007 World Bank risk assessment for Honduras stated that the country had large numbers of unemployed youth who were not in school. Unable to develop the skills required for attending a university or obtaining skilled employment, they provide a ready pool of gang recruits.²⁶ In the absence of familial and community support, many marginalized youth have turned to gangs for social support, a source of livelihood, and protection.

Societal Stigmas

Societal stigmas against gangs and gang-deportees from the United States have made the process of leaving a gang extremely difficult. A 2007 State Department report on youth gangs in El Salvador identified religious conversion, marriage, enlistment in the military, or enrollment in a substance abuse rehabilitation program as the few options available for those who seek to leave a gang. Many organizations that work with former gang members, particularly those with criminal records, say that offender reentry is a major problem in many countries. Ex-gang members report that employers are often unwilling to hire them. Tattooed former gang members, especially returning deportees from the United States who are often native English speakers, have had the

(...continued)

Central America, October 2010.

²¹ Saul Elbein, "The Most Dangerous Job in the World," *New Republic*, June 4, 2013.

²² Gobierno Federal de México, Procuraduría General de la República, *Medidas de Acción y Prevención contra el Fenómeno de las Pandillas en México*, March 2010.

²³ Brownfield, 2012.

²⁴ "MS-13," *InSight Crime*, November 21, 2013.

²⁵ Stephen S. Dudley, *Drug Trafficking Organizations in Central America: Transportistas, Mexican Cartels, and Maras*, Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Cooperation, May 2010.

²⁶ Sara Michel, Elizabeth Utting, and Bob Moquin, *Honduras: a Risk Assessment*, World Bank, February 2007.

most difficulty finding gainful employment. Some gang members have gone through complete tattoo removal, a long and expensive process, which many feel is necessary to better blend into society.

Role of the Media

Many studies have observed that sensationalist media coverage of the gang phenomenon in Central America has contributed to a sense of insecurity in the region and may have inadvertently enhanced the reputation of the gangs portrayed. Exaggerated media reports may have also contributed to the popular perception, which has been backed by politicians, that youth gangs are responsible for the majority of violent crime in the northern triangle countries. This sentiment has led many Central American citizens to support tough law enforcement measures against gangs, hire private security firms, and, in isolated cases, take vigilante action against suspected youth gang members.²⁷

Anti-gang Law Enforcement Efforts

While tough law enforcement reforms (discussed below in the section “Mano Dura (Heavy-Handed) Anti-Gang Policies”) initially proved to be a way for Central American leaders to show that they were cracking down on gangs, studies have cast serious doubts on their effectiveness. In response to law enforcement roundups of any and all tattooed youth, gangs are now changing their behavior to avoid detection. Many gang members are hiding or removing their tattoos, changing their dress, and avoiding the use of hand signals, making them harder to identify and arrest. Studies have also shown that, largely in response to law enforcement tactics, gangs have developed into more sophisticated criminal entities, some of which are now running extortion rackets throughout the region.²⁸

Prisons in Need of Reform

The implementation of aggressive anti-gang roundups has overwhelmed prisons in Central America. Prison conditions in the region are generally harsh, with severe overcrowding, inadequate sanitation, and staffing shortages. Many facilities that were already teeming with inmates have been filled beyond their capacities with thousands of suspected gang members, many of whom have yet to be convicted of any crimes. In El Salvador, for example, as of December 2012, some 27,038 inmates, including 10,212 current or former gang members, were being held in prisons designed to hold a maximum of 8,328 people.²⁹

Due to a lack of security within the prisons, gangs are often able to carry out criminal activities from behind bars, sometimes with assistance from corrupt prison officials. As previously mentioned, there is evidence that gangs have become larger, better organized, and more cohesive

²⁷ The State Department *2011 Country Report on Human Rights Practices* covering Honduras included references to NGO reports that vigilante torture and even killings of youths had occurred. NGOs asserted that these abuses may have been perpetrated by groups that included members of the security forces. The Guatemala section of that report also included allegations that unnecessary force had often been used by police against suspected gang members.

²⁸ Demoscopia, S.A., 2007; José Miguel Cruz, “Central American *Maras*: From Youth Street Gangs to Transnational Protection Rackets,” *Global Crime*, November 2010.

²⁹ U.S. Department of State, *2012 Country Report on Human Rights Practices: El Salvador*, May 2013.

within the confines of many of the region's prisons. Some observers have described prisons as "finishing schools"³⁰ where, rather than being rehabilitated, first-time offenders often deepen their involvement in illicit gang activities.

Disputes between members of rival gangs, between gang and non-gang inmates, and between gangs and prison guards regularly occur. Prisoner abuse and torture is also not uncommon. Some argue that gangs have responded to "extralegal violence" employed by police and prison guards by waging war on governments and those suspected of collaborating with them.³¹

U.S. Deportations to Central America and the Gang Problem

Policymakers in Central America have expressed ongoing concerns that increasing U.S. deportations of individuals with criminal records are worsening the gang and security problems in the region. The Central American countries of Honduras, Guatemala, and El Salvador have received the highest numbers of U.S. deportations (after Mexico) for the last several fiscal years. Despite the large numbers of deportees repatriated to the region, the Central American countries have typically received a lower percentage of individuals deported from the United States on criminal grounds than other top receiving countries like Jamaica or the Dominican Republic (see **Table 1**).

Table 1. U.S. Deportations to Top Receiving Countries: FY2010-FY2012

(Including Annual Percentage of Individuals Deported on Criminal Grounds)

Country	FY2010	% Crim.	FY2011	% Crim.	FY2012	% Crim.
Mexico	279,687	54.7%	286,893	59.1%	289,686	60.0%
Honduras	25,635	41.5%	23,822	47.5%	32,464	43.7%
Guatemala	31,347	31.3%	33,324	37.9%	40,498	35.2%
El Salvador	20,830	41.4%	18,870	47.3%	19,694	46.1%
Dom. Republic	3,853	61.1%	3,380	65.0%	3,262	69.4%
Brazil	3,321	16.3%	3,634	17.0%	2,804	18.1%
Colombia	2,617	49.6%	2,273	49.8%	1,681	66.7%
Ecuador	2,559	29.8%	1,991	40.4%	1,976	41.4%
Nicaragua	1,975	42.4%	1,693	45.5%	1,507	51.6%
Jamaica	1,548	79.1%	1,572	82.0%	1,362	89.0%
Haiti	344 ^a	39.8%	731	34.1%	758	74.9%

Source: Prepared by CRS with information provided by the Department of Homeland Security, Immigration and Customs Enforcement, Office of Enforcement and Removal. Figures include "removals" (deportations), but not voluntary departures (returns). FY2013 figures are not yet available.

Notes: Criminal deportees have been convicted of a crime in the United States that makes one removable (i.e., eligible for deportation) under the Immigration and Nationality Act. Not all individuals who have been deported

³⁰ T.W. Ward, *Gangsters Without Borders: An Ethnography of A Salvadoran Street Gang* (Oxford: Oxford University Press, 2012).

³¹ José Miguel Cruz, "Responses and the Dark Side of Suppression of Gangs in Central America," in Bruneau, et al., 2011.

on criminal grounds are gang members or violent criminals. Low level drug convictions and some non-violent offenses may result in a removal on criminal grounds. Non-criminal deportees have been removed because of a status violation (e.g., being in the country illegally or working without authorization).

- a. Deportations to Haiti were halted for a time in the wake of the January 2010 earthquake in that country. For more information, see CRS Report RS21349, *U.S. Immigration Policy on Haitian Migrants*, by Ruth Ellen Wasem.

For the past several years, Central American officials have asked the U.S. government to consider providing a complete criminal history for each individual who has been deported on criminal grounds, including whether or not he or she is a member of a gang. While U.S. Immigration and Customs Enforcement (ICE) does not provide a complete criminal record for deportees, it may provide some information regarding an individual's criminal history when specifying why the individual was removed from the United States. ICE does not indicate gang affiliation unless it is the primary reason why the individual is being deported. However, in January 2014, the State Department and DHS signed an agreement to expand a Criminal History Information Sharing (CHIS) program that has been used to share more information on certain criminal deportees with Mexican law enforcement officials to Guatemala, Honduras, and El Salvador.

The types of support services provided to deportees returning from the United States and other countries vary widely across Latin America. While a few large and relatively wealthy countries (such as Colombia and Mexico) have established comprehensive deportee reintegration assistance programs, most countries provide few, if any, services to returning deportees. In Central America, for example, the few programs that do exist tend to be funded and administered by either the Catholic Church, non-governmental organizations (NGOs), or the International Organization for Migration (IOM). Between 2010 and 2013, USAID provided support to IOM to administer a deportee reintegration project in Guatemala.

Country Anti-Gang Efforts

Country efforts to deal with gangs and gang-related violence have varied significantly. In general, governments in the “northern triangle” countries have adopted more aggressive law enforcement approaches than the other Central American countries. Tough anti-gang approaches carried out in the mid-2000s, which will subsequently be discussed, failed to stave off rising crime rates in the region and had several negative unintended consequences. As a result, recent studies maintain that governments appear to be moving away from enforcement-only policies towards “second-generation” anti-gang programs. Newer programs have emphasized, among other things, prevention programs for at-risk youth, interventions to encourage youth to leave gangs, and the creation of municipal alliances against crime and violence.³² Even as governments have adopted some prevention and rehabilitation programs, they have continued to employ elite anti-gang units to carry out operations, begun to use wiretapping to further anti-gang investigations, and increasingly involved their military forces in law enforcement efforts. In 2012, the Salvadoran government has taken a new—and risky—approach to combating gang violence by facilitating a truce between the MS-13 and 18th Street gangs.³³

³² Rodgers et al., May 2009.

³³ Lauren Villagran, “Can a Gang Truce in El Salvador Open the Door to Lasting Peace?” *Christian Science Monitor*, October 24, 2012.

***Mano Dura* (Heavy-Handed) Anti-Gang Policies**

Mano Dura is a term used to describe the type of anti-gang policies initially put in place in El Salvador, Honduras, and, to a lesser extent, Guatemala in response to popular demands and media pressure for these governments to “do something” about an escalation in gang-related crime. *Mano dura* approaches have typically involved incarcerating large numbers of youth (often those with visible tattoos) for illicit association, and increasing sentences for gang membership and gang-related crimes. A *Mano Dura* law passed by El Salvador’s Congress in 2003 was subsequently declared unconstitutional, but was followed by a *Super Mano Dura* package of anti-gang reforms in July 2004. These reforms enhanced police power to search and arrest suspected gang members and stiffened penalties for convicted gang members, although they provided some protections for minors accused of gang-related crimes. Similarly, in July 2003, Honduras enacted a penal code amendment that made *maras* illegal and established sentences of up to 12 years in prison for gang membership. Changes in legislation were accompanied by the increasing use of joint military and police patrols to arrest gang suspects. Guatemala introduced similar legislation in 2003, but the legislation never passed. Instead, the Guatemalan government has launched periodic law enforcement operations to round up suspected gang members.

Mano Dura reforms initially proved to be a way for Central American leaders to show that they were getting tough on gangs and crime, despite objections from human rights groups about their potential infringements on civil liberties and human rights. Early public reactions to the tough anti-gang reforms enacted in El Salvador and Honduras were extremely positive, supported by media coverage demonizing the activities of tattooed youth gang members. Tony Saca was elected to the presidency of El Salvador in 2004 largely on the basis of his promises to further crack down on gangs and crime. *Mano Dura* enabled police to arrest large numbers of suspected gang members, including some 14,000 youth in El Salvador between mid-2004 and late 2005. In addition, according to Salvadoran officials, even though many suspects were eventually released, gang detainees provided law enforcement officials with invaluable sources of intelligence information that those officials have since used to design better anti-gang strategies.³⁴

Despite the early apparent benefits of *Mano Dura* policies, effects on gangs and crime proved to be largely disappointing. Most youth arrested under *mano dura* provisions were subsequently released for lack of evidence that they committed any crime. Salvadoran police estimated that more than 10,000 of 14,000 suspected gang members arrested in 2005 were later released.³⁵ Some youth who were wrongly arrested for gang involvement joined the gang life while in prison. Gang roundups exacerbated prison overcrowding, and inter-gang violence within the prisons resulted in several inmate deaths. There have been credible reports that extrajudicial youth killings by vigilante groups have continued since *mano dura* was implemented, including alleged assassinations of gang suspects and gang deportees from the United States. Finally, in response to *mano dura*, gangs have changed their behavior to avoid detection.

Military Involvement in Public Security

Although *mano dura* policies have been largely phased out, El Salvador, Guatemala, and Honduras have deployed thousands of military troops to help their often underpaid and poorly

³⁴ U.S. Department of State, INL, *Regional Gang Initiative Assessments and Plan of Action*, July 1, 2008.

³⁵ “Most of 14,000 Gang Members Arrested in El Salvador Were Released,” *EFE News Service*, December 27, 2005.

equipped police forces carry out public security functions, without clearly defining when those deployments might end. In Guatemala, the government of retired general Perez Molina has developed protocols to coordinate the military's involvement in law enforcement operations.³⁶ Since December 2011, the Honduran government has granted the military broad powers to carry out police functions.³⁷ This trend has led many human rights groups to raise concerns about the "re-militarization" of some Central American countries and to predict an increase in human rights abuses committed by military personnel in the region who are ill-trained to perform police work (as has occurred in Mexico).³⁸ Evidence also indicates that military involvement in public security functions has not reduced crime rates significantly.

Approaches in Other Central American Countries

Although their efforts have received considerably less international attention than those of El Salvador, Honduras, and Guatemala, other Central American countries have developed a variety of programs to deal with their gang problems. In Panama, the Ministry of Social Development, in coordination with other government entities and several NGOs, administers gang prevention programs, as well as a program to provide job training and rehabilitation services to former gang members. Nicaragua has adopted a national youth crime prevention strategy that, at least on an official level, includes the active involvement of the police in preventive and rehabilitative efforts and focuses on family, school, and community interventions.³⁹ With support from other countries and NGOs, the Nicaraguan National Police's Juvenile Affairs Division runs at least two anti-gang activities a month. The Ministry of the Interior is administering a five-year program, which is supported by funding from the IDB, to target at-risk youth in 11 different municipalities. While less is known about Costa Rica's gang prevention efforts, the country has generally tended to favor a "preventive and rehabilitation-oriented approach."⁴⁰

Belize brokered a truce among its local gangs in September 2011 in exchange for meeting gang members' demands for jobs. The truce helped murders decline through March 2012, but unraveled in April 2012 after a spate of reprisal killings. That month the country experienced its highest monthly murder rate in two years.⁴¹ The government removed its financial support for the truce in December 2012 as Belize recorded a record number of murders in 2012, up a reported 16% from 2011.⁴²

³⁶ CRS interview with Guatemalan military official, January 20, 2011.

³⁷ "Gobierno de Honduras Extiende Facultades Policiales a Militares por 90 Días Más," *El Heraldo* (Honduras), June 26, 2012.

³⁸ See, for example, relevant sections of George Withers, Lucila Santos, and Adam Isaacson, *Preach What you Practice: the Separation of Military and Police Roles in the Americas*, WOLA, November 2010.

³⁹ Some studies have described a disconnect between the Nicaraguan government's official rhetoric in support of non-repressive approaches to youth violence and the excessive use of force that some low-ranking police officials have used against youth in Nicaragua. Those studies are summarized in: Peter Peetz, "Youth Violence in Central America: Discourses and Policies," *Youth Society*, October 11, 2010.

⁴⁰ *Ibid.*

⁴¹ "A Meeting of the Maras; Central America's Gangs," *The Economist*, May 12, 2012.

⁴² Grant Hurst, "Belize Registers Record Murders in 2012," *IHS Global Insight Daily Analysis*, January 4, 2013.

Gang Truce in El Salvador

When Salvadoran President Mauricio Funes appointed his defense minister, retired general David Munguía Payés, as Minister of Justice and Public Security in November 2011, observers expected the minister to back a hardline approach to combating gangs. Munguía Payés did restructure the Salvadoran police and create a new elite anti-gang unit that has received U.S. training. However, he also surprised many analysts by lending government support to a former guerrilla fighter and congressman (who was his aid in the defense ministry) and a Catholic bishop who brokered a truce between the MS-13 and 18th Street gangs. In March 2012, Munguía Payés agreed to transfer high-ranking gang leaders currently serving time in prison to less secure prisons in order to facilitate negotiations for a truce between the gangs. Questions remain surrounding what exactly was negotiated with the gangs, when, and under what circumstances.⁴³ Munguía Payés denied his role in facilitating the truce until September 2012.⁴⁴

Between the time the prison transfers took place and May 2013 (when Munguía Payés was removed from his post),⁴⁵ the Salvadoran government reported that homicide rates dramatically declined (from an average of roughly 14 per day to 5.5 per day). U.S. law enforcement could not verify those figures.⁴⁶ Gang leaders pledged not to forcibly recruit children into their ranks or perpetrate violence against women, turned in small amounts of weapons, and offered to engage in broader negotiations that could potentially result in a permanent truce.⁴⁷ They did not agree to give up control of over their territories. Gang negotiators said that improving prison conditions and providing more reintegration and job programs for gang members would be crucial to maintaining the truce. They hoped to obtain donor support for those efforts. The Organization of American States (OAS) monitored the implementation of the truce and tried to build support for the peace process from civil society, the private sector, and politicians.⁴⁸

In November 2012, gang negotiators proposed the establishment of “peace zones” in municipalities across the country where gangs would stop all crimes in exchange for being able to participate in reinsertion programs. By January 2013, the first four municipalities participating in the “peace zone” plan had been announced, one governed by the leftist Farabundo Martí National Liberation Front (FMLN) and three governed by the conservative Nationalist Republican Alliance (ARENA) party. A total of 11 municipalities are now participating, but have received little of the support they were promised from the Funes Administration.⁴⁹ A charitable foundation has been established to coordinate international efforts to support the truce, including the “peace zone”

⁴³ “MS Tenía una Computadora Oculta en el Penal de Gotera,” *El Salvador.com*, February 18, 2014; Carlos Martínez, “Los dos Versiones de Nelson Rauda Sobre la Tregua,” *El Faro*, February 17, 2014.

⁴⁴ Carlos Martínez and Jose Luis Sanz, “The New Truth About the Gang Truce,” *Insight Crime*, September 14, 2012.

⁴⁵ In May 2013, El Salvador’s Supreme Court nullified President Funes’ appointment of retired general David Munguía Payés as Minister of Justice and Public Security because it contravened the Peace Accords and a constitutional provision stipulating that public security must be led by an individual independent of the military. Munguía Payés’ replacement, Ricardo Perdomo, has proven to be a critic of the truce. Benjamin Witte-Lebhar, “Court Ruling, Political Potshots Challenge El Salvador’s 15-month-old Gang Truce,” *Noticen: Central American and Caribbean Affairs*, June 27, 2013.

⁴⁶ CRS interview with State Department official in El Salvador, May 24, 2013.

⁴⁷ WOLA, *El Salvador’s Gang Truce: In Spite of Uncertainty, an Opportunity to Strengthen Prevention Efforts*, July 17, 2012; Randal C. Archibold, “Gangs’ Truce Buys El Salvador a Tenuous Peace,” *New York Times*, August 27, 2012.

⁴⁸ Lauren Villagran, “Can a Gang Truce in El Salvador Open the Door to Lasting Peace?” *Christian Science Monitor*, October 24, 2012.

⁴⁹ Miriam Wells, “El Salvador Peace Zone Mayors Say Truce Is Failing,” *Insight Crime*, November 1, 2013.

plan. The European Commission is supporting development and conflict resolution programs in the “peace zone” communities. While some have praised the “peace zone” effort, others have expressed doubts about the gangs’ commitment to ending all crimes (including extortion), and the government’s ability to ensure that the “peace zones” do not become havens for lawlessness.

Some, including OAS Secretary General Jose Miguel Insulza, have praised the truce for reducing the homicide rate in El Salvador and effectively saving the lives of thousands of young people.⁵⁰ The coordinator of U.N. programs in El Salvador has said that the truce presents a unique window of opportunity for the country to find a long-term, integral solution to violence and criminality.⁵¹ U.S.-based gang experts have formed a Transitional Advisory Group in Support of the Peace Process in El Salvador, while U.S. human rights groups have lent their support to the truce insofar as it provides an opportunity to increase focus and attention on the need for prevention and rehabilitation programs.⁵²

The truce is not without its skeptics, including El Salvador’s Minister of Justice and Public Security and Attorney General. Analysts have questioned the lack of transparency and changing narrative regarding the government’s role in facilitating the truce. They have also pointed out that while gang-on-gang homicides have declined, the level of extortion and other violent crimes has remained high. Disappearances, for example, have reportedly doubled in the past year.⁵³ Since the Funes government has withdrawn its support for the truce mediators and reduced communication between imprisoned gang leaders and gang members in the streets, there are signs that the truce has begun to unravel.⁵⁴ Gang leaders have reportedly remained committed to the truce process despite the government’s antagonism, but predicted that murder rates could increase to as high as 20 or 25 per day should the truce unravel.⁵⁵

Partially in response to those assertions, some analysts maintain that the Salvadoran government has taken an enormous risk by recognizing the gangs as legitimate political actors and acceding to their demands. For example, should the truce collapse, the gangs could emerge even more powerful and organized after taking advantage of less restrictive prison conditions.⁵⁶ While not all analysts concur with that assertion, most agree that whoever takes office as President of El Salvador on June 1, 2014, will have to handle the truce process extremely delicately.

U.S. officials have made few public comments about the truce; in August 2012, U.S. Ambassador to El Salvador, Mari Carmen Aponte reportedly said that the truce had reduced crime, but that policies must “address the root causes [of crime] in order to be effective and for any reduction [in crime] to be sustainable.”⁵⁷ While some believe the Treasury Department’s decision to sanction

⁵⁰ Organization of American States (OAS), “Secretary General Insulza: ‘The Three Challenges to Democracy in the Region are Inequality, Organized Crime and the Lack of Political Dialogue,’” press release, October 10, 2012.; Carmen Rodríguez, “OEA Reitera Apoyo a Tregua entre Pandillas,” *La Página*, July 26, 2013.

⁵¹ “ONU: Tregua entre Pandillas es Oportunidad contra la Violencia en El Salvador,” *La Prensa Gráfica*, September 13, 2012.

⁵² WOLA, op. cit.

⁵³ “Se Duplica Cifra de Personas Desaparecidas en 2013,” *La Prensa Gráfica*, December 19, 2013

⁵⁴ “Gang Violence Peaks Again in El Salvador,” *Latin News Daily*, December 18, 2013.

⁵⁵ Carlos Martínez and José Luis Sanz, “Para que la Gente nos Crea Estamos Dispuestos a Dejar de Meter Jóvenes a la Pandilla,” *El Faro*, January 27, 2014.

⁵⁶ Douglas Farah, *The Transformation of El Salvador’s Gangs into Political Actors*, Center for Strategic & International Studies, June 2012.

⁵⁷ Archibold, op. cit.

the financial activities of the MS-13 may signify U.S. skepticism of the truce, Ambassador Aponte has said that the decision responded to the activities of the gang in the United States and was made totally independent of the truce.⁵⁸ (See “U.S. Treasury Department” section below.) A State Department Travel Warning for El Salvador issued on January 23, 2012, stated that the truce “contributed to a decline in the homicide rate ... [but] the sustainability of the decline is unclear, and the truce [has] had little impact on robbery, assaults, and other violent crimes.”⁵⁹ An August 9, 2013, updated Travel Warning makes no mention of a decline in homicides while saying that El Salvador “has one of the highest per capita murder rates in the world.”⁶⁰

Prospects for Country Prevention and Rehabilitation Efforts

In the last few years, Central American leaders, including those from the northern triangle countries, appear to have moved, at least on a rhetorical level, towards more comprehensive anti-gang approaches. In mid-December 2007, then-Salvadoran President Tony Saca opened a summit of the Central America Integration System by stating that the gang problem had shown the importance of coordinated anti-crime efforts, with the most important element of those efforts being prevention.⁶¹ All of the Central American countries have created institutional bodies to design and coordinate crime prevention strategies and have units within their national police forces engaged in prevention efforts. In general, however, government-sponsored gang prevention programs have tended, with some exceptions, to be small-scale, ad-hoc, and underfunded. Governments have been even less involved in sponsoring rehabilitation programs for individuals seeking to leave gangs, with most reintegration programs funded by church groups or NGOs.

Central American government officials have generally cited budgetary limitations and competing concerns, such as drug trafficking, as major factors limiting their ability to implement more extensive prevention and rehabilitation programs. Experts have asserted, however, that it is important for governments to offer educational and job opportunities to youth who are willing to leave gangs before they are tempted to join more sophisticated criminal organizations. It is also critical, they argue, for intervention efforts to focus on strengthening families of at-risk youth.⁶²

Research has shown that successful anti-gang efforts involve governments working in close collaboration with civil society, the private sector, churches, mayors, and international donors in order to leverage limited public resources.⁶³ In fact, many successful anti-gang programs have developed as a result of community-driven efforts to respond to particular problems which are then supported by capacity-building programs for leaders from those communities. Although these types of programs may benefit from financial contributions from local and/or national

⁵⁸ Enrique García, “Aponte Reitera que la “MS” es Organización Criminal Transnacional,” *El Mundo*, October 16, 2012.

⁵⁹ U.S. Department of State, Bureau of Consular Affairs, *Travel Warning: El Salvador*, January 23, 2013.

⁶⁰ U.S. Department of State, Bureau of Consular Affairs, *Travel Warning: El Salvador*, August 9, 2013, available at <http://travel.state.gov/content/passports/english/alertswarnings/el-salvador-travel-warning.html>.

⁶¹ “Centroamérica Revisa Estrategias Para Luchar Contra Pandillas,” *Agence France Presse*, December 13, 2007.

⁶² Kliksberg, 2007.

⁶³ USAID Gang Assessment, 2006; José Miguel Cruz, *Street Gangs in Central America*, San Salvador: UCA Editors, 2007.

governments, they may also need non-financial support, including “training, information sharing, leadership, or simply the provision of a dedicated space for programming or meetings.”⁶⁴

Country and regional youth violence prevention programs have received significant support from a variety of international donors, but Central American governments have tended not to take an active role in ensuring that donor funds are well-coordinated and strategically invested. European donors, particularly the European Commission, Spain, and Germany, have been the largest supporters of prevention programs in Central America. U.S. support for prevention programs has also increased in recent years, beginning with the creation of an Economic and Social Development Fund for Central America as part of the Mérida Initiative. However, many of these traditional donors now have fewer funds to dedicate to overseas prevention projects. As a result, Central American governments may have to enact tax reforms to increase the revenues they have available for these and other programs. They may also seek new support for these types of projects from other countries or private entities interested in forming public-private partnerships.

U.S. Policy

In the mid-2000s, Administration officials and Members of Congress expressed serious concerns about gangs and violence in Central America and their spillover effects on the United States. More recently, concerns about gang-related violence have become subsumed by broader concerns about drug trafficking and organized crime in Central America, particularly since Mexico’s aggressive anticrime efforts have pushed Mexican DTOs deeper into the sub-region. Nevertheless, in September 2009 congressional testimony, then-FBI Director Robert Mueller stated that “criminal gangs ... are of increasing concern for domestic and international law enforcement ... [and that] the MS-13 [in particular] continues to expand its influence in the United States.”⁶⁵ On October 11, 2012, Treasury Under Secretary for Terrorism and Financial Intelligence David S. Cohen said that “MS-13 is an extremely violent and dangerous gang responsible for a multitude of crimes that directly threaten ... U.S. citizens, as well as countries throughout Central America.”⁶⁶ U.S. officials are striving to coordinate anti-gang initiatives on both the domestic and international fronts, taking into account their likely impact on domestic security, on the one hand, and on foreign relations with the countries of Central America and Mexico, on the other.

Congressional Interest and Appropriations for Anti-Gang and Related Security Efforts in Central America

Congress has expressed concern about the problem of transnational gangs and interest in the effectiveness of U.S. international anti-gang efforts. Since the 110th Congress, interest in the topic of gangs and violence in Central America has included concerns about the domestic and international criminal activities of the gangs, as well as the relationship between gangs and drug

⁶⁴ See the section by Caterina Gowis Roman in *Daring to Care: Community-Based Responses to Youth Gang Violence in Central America and Central American Immigrant Communities in the United States*, WOLA, October 2008.

⁶⁵ Testimony by Robert Mueller, Director, Federal Bureau of Investigation (FBI), U.S. Department of Justice, before the Senate Judiciary Committee, September 16, 2009.

⁶⁶ U.S. Department of Treasury, “Treasury Sanctions Latin American Criminal Organization,” press release, October 11, 2012.

trafficking organizations. Members of Congress have also expressed interest in the effects of U.S. deportation policy and *mano dura* approaches in the region on Central American gangs. As Congress has appropriated significant funding for anti-gang efforts, there has also been oversight of the efficacy of U.S. programs that affect Central American gangs.

Since the enactment of the FY2008 Consolidated Appropriations Act, P.L. 110-161, Congress has appropriated global International Narcotics Control and Law Enforcement (INCLE) funding for anti-gang programs in Central America that are led by the Bureau of International Narcotics and Law Enforcement Affairs (INL).⁶⁷ Between FY2008 and FY2013, Congress provided some \$30 million through that mechanism.⁶⁸ As subsequently discussed, a Regional Gang Advisor based in El Salvador coordinates the anti-gang funds in support of the 2007 *U.S. Strategy to Combat the Threat of Criminal Gangs from Central America and Mexico*.

In order to address broader security concerns in Central America, Congress has appropriated roughly \$803.6 million for the countries of Central America since FY2008 under what was formerly known as the Mérida Initiative-Central America and is now known as the Central American Regional Security Initiative (CARSI).⁶⁹ Of that total, Congress has provided \$196.8 million to the USAID for rule of law efforts and crime and violence prevention programs and to the State Department for cultural programs and small grants.⁷⁰

Evolution of U.S. International Anti-Gang Efforts

For at least the past decade, U.S. agencies have been engaged on both the law enforcement and preventive side of dealing with Central American gangs. In 2004, the FBI created an MS-13 Task Force to improve information-sharing and intelligence-gathering among U.S. and Central American law enforcement officials. In 2005, the Bureau of Immigrations and Customs Enforcement (ICE) within the Department of Homeland Security (DHS) created a national anti-gang initiative called “Operation Community Shield”; it now also has a National Gang Unit. Also in 2005, USAID undertook a comprehensive assessment of the gang problem in Central America and Mexico. In that assessment, USAID found that while a few U.S. programs addressed some aspects of the gang phenomenon, several new initiatives would be needed in the areas of prevention, law enforcement, and rehabilitation/reintegration.

Throughout 2005 and 2006, an inter-agency committee worked together to develop a *U.S. Strategy to Combat Criminal Gangs from Central America and Mexico*, which was announced at a July 2007 U.S.-Central America Integration System (SICA)⁷¹ summit on security issues.⁷² The

⁶⁷ Initial funds for the State Department’s Bureau of International Narcotics and Law Enforcement Affairs’ (INL) programs in the region came from \$16 million in unspent Andean Counterdrug Program funds that were reprogrammed in September 2007 to support drug interdiction operations, anti-gang efforts, and demand reduction initiatives in Central America.

⁶⁸ The FY2010 funds for INL’s regional anti-gang efforts – roughly \$8 million – were included as part of CARSI because of legislative language that placed a cap on security aid to the region.

⁶⁹ For more information, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*.

⁷⁰ That total does not include final figures for those categories that will be allotted from the FY2014 appropriations provided in P.L. 113-76.

⁷¹ The Central American Integration System (SICA), a regional organization with a Secretariat in El Salvador, is composed of the governments of Belize, Costa Rica, El Salvador, Guatemala, Honduras, and Panama. The Security Commission was created in 1995 to develop and carry out regional security efforts.

strategy acknowledged that, based on previous U.S. and regional experiences, future anti-gang efforts should be holistic, comprehensive, and regional in scope. It called for active engagement with governments in the region, the OAS, and the SICA. The strategy stated that the U.S. government will pursue coordinated anti-gang activities in five broad areas: diplomacy, repatriation, law enforcement, capacity enhancement, and prevention. Selected current initiatives by U.S. agencies to implement the international components of that strategy are discussed below.

In April 2010, the GAO published a report examining (1) the extent to which the federal government had developed an adequate strategy to combat Central American gangs, and (2) how well federal agencies had implemented the strategy, coordinated their actions, and assessed their results.⁷³ According to that report, the U.S. government has developed and implemented an interagency anti-gang strategy that outlines the threats posed by Central American gangs and the activities that each federal agency is doing to respond to those threats. However, the GAO recommended that the strategy be revised to include better coordination mechanisms between the various implementing agencies and performance measures to evaluate its progress.

In recent years, the U.S. government has expanded its citizen security and law enforcement programs in Central America through the Mérida Initiative/CARSI. CARSI builds upon existing programs, both on a bilateral and regional basis. Its five primary goals are to (1) create safe streets for the citizens in the region; (2) disrupt the movement of criminals and contraband within and between the nations of Central America; (3) support the development of strong, capable, and accountable Central American governments; (4) re-establish effective state presence and security in communities at risk; and (5) foster enhanced levels of security and rule of law coordination and cooperation between the nations of the region.⁷⁴

El Salvador's selection as one of four countries in the world to participate in the Obama Administration's Partnership for Growth (PFG)⁷⁵ initiative has further heightened the attention on security issues—including anti-gang efforts—in that country in particular. As a first step of implementing the PFG in El Salvador, a binational team conducted a diagnostic study published in July 2011 that identified crime and insecurity as one of the two major barriers to growth in the country.⁷⁶ The countries then signed a 2011-2015 Joint Country Action Plan that includes detailed pledges by the U.S. and Salvadoran governments on how they intend to address 20 shared goals, 14 of which focus on security. Since the two countries have promised to provide public reports every six months on progress made in reaching those goals, there has been pressure on both governments to expand community policing programs, U.S. training of the police's anti-gang unit, and crime prevention programs. As a result of the PFG, entities within the Department of

(...continued)

⁷² U.S. Department of State, Office of the Spokesman, "Combating Criminal Gangs from Central America and Mexico," July 18, 2007.

⁷³ U.S. Government Accountability Office (GAO), *Combating Gangs: Federal Agencies Have Implemented a Central American Gang Strategy, but Could Strengthen Oversight and Measurement of Efforts*, 10-395, April 23, 2010.

⁷⁴ For background, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke.

⁷⁵ The principles behind the PFG Initiative are to (1) focus on broad-based economic growth; (2) select countries with demonstrated performance and political will; (3) use joint decision-making and prioritization of activities; (4) support catalytic policy change and institutional reform; (5) leverage U.S. government engagement for maximum impact; and (6) emphasize partnership and country ownership.

⁷⁶ U.S. Department of State, *Partnership for Growth: El Salvador Constraints Analysis*, July 19, 2011.

Justice (DOJ) have helped police and judicial officials there stand up Business and Transit Crimes task forces to investigate and prosecute gang extortions and violence.

State Department

Over the past several years, the State Department has provided training and technical assistance to law enforcement and corrections officials throughout Central America, sponsored anti-gang workshops at the International Law Enforcement Academy (ILEA)⁷⁷ in San Salvador, and promoted regional coordination through SICA. In January 2008, INL sent a Regional Gang Advisor to El Salvador to coordinate its Central American gang programs. In July 2008, that advisor produced a detailed assessment of the gang problem in Honduras, El Salvador, and Guatemala and a work plan focusing on six key areas: investigative capacity, legal capacity, intelligence capacity, community policing, prevention, and prisons.

Since that time, INL has sponsored trainings and technical exchanges for police, prison officers, and justice sector operators from across the region; provided training and equipment to vetted police units and intelligence analysts; and established 10 community policing/model police precinct programs in El Salvador, Guatemala, and, most recently, Honduras.⁷⁸ INL funding is also supporting a Regional Corrections Advisor who is assisting with prison reform programs in the region, including the development of intelligence units within the prisons. In the area of prevention, INL has trained more than 300 police officers throughout Central America who have provided training to more than 50,000 youth through the Gang Resistance Education and Training (GREAT) program.⁷⁹

Additionally, the State Department, which coordinates Mérida Initiative/CARSI programs in Central America, has allocated resources to the Department of Justice; the Department of Homeland Security, particularly ICE; and the U.S. Agency for International Development to enable those agencies to counter the impact of gangs in the region.

Department of Justice

Within the Department of Justice (DOJ), the FBI is implementing several programs to improve the capacity of law enforcement in Central America to carry out investigations and share intelligence on gang suspects. It also focuses on developing and protecting witnesses who will testify in gang cases. The Office of Overseas Prosecutorial Development, Assistance, and Training (OPDAT) has also provided training on prosecuting gang-related cases to judicial officials in the region. The deployment of a Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) Regional Advisor to San Salvador is enabling ATF to support transnational gang investigations involving U.S. origin firearms. FBI, OPDAT, and ATF programs are supported by

⁷⁷ The International Law Enforcement Academy (ILEA) based in San Salvador, El Salvador is one of four regional law enforcement training academies funded by the State Department's INL Bureau. The ILEA in San Salvador offers training and technical assistance to law enforcement officials from throughout Latin America. In 2009, the ILEA conducted five anti-gang courses.

⁷⁸ Three model police precincts currently exist in Guatemala, six in El Salvador, and one in Honduras. The model precincts emphasize crime prevention and targeted, intelligence-driven enforcement. CRS electronic correspondence with INL's Regional Gang Advisor, February 14, 2014.

⁷⁹ Ibid.

the Mérida Initiative/CARSI or other State Department funding and are carried out in collaboration with INL. Recent programs include:

- **Central American Fingerprinting Exploitation (CAFÉ):** a criminal file/fingerprint retrieval initiative that has incorporated thousands of finger prints from gang members from Mexico, El Salvador, Belize, Honduras, and Guatemala into the FBI's Integrated Automated Fingerprint Identification System since 2006. The data are accessible to Central American police officials.
- **Transnational Anti-Gang (TAG) Units:** a program that began in El Salvador in October 2007 involving the creation of vetted police units that work with FBI agents stationed in San Salvador on investigating gang-related cases that have a nexus with the United States. TAG activities have been expanded into Guatemala and Honduras and have contributed to successful indictments of MS-13 members in major cities across the United States.
- **Central American Law Enforcement Exchange (CALEE):** a joint FBI/INL program that brings law enforcement officials from Central America together with their counterparts from several large U.S. cities to share information and intelligence.
- **Repatriation-Criminal History Information Program (CHIP):** an FBI program to provide more complete criminal history information on U.S. deportees to vetted Central American law enforcement officials in receiving countries. CHIP began in El Salvador in 2012.⁸⁰

Department of Homeland Security (DHS)

Through December 2013, ICE's Operation Community Shield had led to the arrest of some 4,506 MS-13 gang members in the United States, an increasing percentage of those arrests made on criminal grounds, including under Racketeer Influenced and Corrupt Organization (RICO) provisions.⁸¹ In addition to Operation Community Shield, ICE formed an anti-gang task force in Honduras to gather intelligence to support gang investigations in Honduras and in the United States. ICE special agents are also based at other U.S. embassies in the region, including in Guatemala and El Salvador. ICE supports Transnational Criminal Investigative Units (TCIUs) in El Salvador, Honduras, Guatemala, and Panama. The TCIUs focus on transnational investigations and border crimes, some of which have a nexus with gangs. ICE has also developed an internet-based system to facilitate the transmission of travel documents for individuals, including gang members, who are deported to El Salvador, Guatemala, and Honduras.

In January 2014, the State Department and DHS signed an agreement to expand a Criminal History Information Sharing (CHIS) program that has been used to share information on criminal deportees with Mexican law enforcement officials to Guatemala, Honduras, and El Salvador.

⁸⁰ FBI Press Release, "United Against MS-13; Our Central American Partnerships," November 10, 2009; Embassy of the United States in San Salvador, El Salvador, "El Salvador Signs Chip," press release, May 9, 2012.

⁸¹ For background on RICO, see CRS Report 96-950, *RICO: A Brief Sketch*, by Charles Doyle.

U.S. Agency for International Development (USAID)

USAID has implemented a variety of country and regional gang prevention programs, some of which have been co-managed by SICA. Initial support for these programs came from what was known as the Economic and Social Development Fund (ESDF) for Central America that was created by P.L. 110-252, the FY2008 Supplemental Appropriations Act. Congress has maintained support for these efforts by providing a percentage of CARSI funds through the Economic Support Fund (ESF) account, which is implemented by USAID.

As of early 2014, USAID had projects under implementation in 63 municipalities and 215 communities. Those projects include support for municipal committees to develop crime prevention plans; funding to implement the initiatives identified as priorities by those municipalities, including community policing programs, crime observatories, and at-risk youth programs; and the establishment of 120 outreach centers to provide recreational and educational opportunities for youth in high-crime areas, with 50 more planned over the next few years. USAID has also worked with SICA on regional policy initiatives, such as reforming juvenile justice systems throughout the region to move towards an emphasis on restorative justice. Finally, USAID has formed partnerships with other donors, private foundations/companies, and, most recently, the city of Los Angeles, to develop innovative prevention and rehabilitation/reinsertion programs. The city of Los Angeles will share best practices in preventing gang violence and promoting youth development with cities in Central America and advise USAID and its implementers on citizen security programming.

In mid-2013, USAID suspended funding that was intended to reimburse the Salvadoran government for costs of a small grants program to assist individuals affected by the global financial crisis. Following media allegations that the benefits of the program were being directed to gang members, USAID investigated and found that the government's implementing agency had failed to follow correct program procedures, including how participating communities had been selected. For that reason, USAID ended its funding for that particular component, intended to benefit six of the "violence free" municipalities, before any funding had been reimbursed to the government for program costs. The Salvadoran government continued the program using non-U.S. government funding.⁸²

U.S. Treasury Department

On October 11, 2012, the Treasury Department designated the MS-13 as a significant transnational criminal organization whose assets will be targeted for economic sanctions pursuant to Executive Order (E.O.) 13581.⁸³ Issued in July 2011 as part of the Obama Administration's National Strategy to Combat Transnational Organized Crime, E.O. 13581 enables the Treasury Department to block the assets of members and associates of designated criminal organizations and prohibit U.S. citizens from engaging in transactions with them.⁸⁴ The Treasury Department

⁸² Teresa Alvarado, "FISLD Continuará Financiando Programa PATI en Municipios Excluidos por USAID," *Transparencia Activa*, September 13, 2013.

⁸³ The criteria established for declaring a transnational criminal organization pursuant to Executive Order 13581 are available at <http://www.whitehouse.gov/the-press-office/2011/07/25/executive-order-blocking-property-transnational-criminal-organizations>. U.S. Department of Treasury, "Treasury Sanctions Latin American Criminal Organization," press release, October 11, 2012.

⁸⁴ The first four criminal organizations that received Transnational Criminal Organization (TCO) designations were: the Brother's Circle, the Camorra, Los Zetas, and the Yakuza. See The White House, Office of the Press Secretary, (continued...)

worked with ICE to build evidence to support the designation of the MS-13 based on the gangs' involvement in "drug trafficking, kidnapping, human smuggling, sex trafficking, murder," and other serious criminal offenses that threaten U.S. and Central American citizens. As of February 2014, six individuals in El Salvador have been designated as subject to U.S. sanctions.⁸⁵

While there is evidence that some MS-13 cliques in the Washington, DC, area collaborate with groups based in El Salvador, some analysts maintain that transnational collaboration is not the norm for the MS-13.⁸⁶ Salvadoran officials seemed surprised by the designation, with President Funes asserting that U.S. officials may be "overestimating the economic risk or financial risk resulting from the criminal actions of the MS."⁸⁷ In response, U.S. officials have stood by the TCO designation, asserting that it will provide law enforcement with additional tools to advance domestic and international anti-gang efforts.⁸⁸

Possible Questions for Oversight

- **Evolving Gang Threat.** To what degree are the gangs in Central America becoming more organized and sophisticated? Are their concerns primarily local, or transnational? What types of ties do they have with other criminal organizations based in Central America and with Mexican DTOs? To what extent are cliques in the region communicating with groups in the United States?
- **U.S. Strategy.** Seven years after the adoption of an interagency strategy to combat the gangs, what have been the results of U.S. efforts? How is the success or failure of the strategy being measured? How are domestic and international efforts in support of the strategy being coordinated?
- **CARSI.** To what extent is CARSI addressing the gang problem in Central America? How have INL's centrally managed gang programs been folded into CARSI initiatives?
- **Leveraging U.S. assistance.** To what extent are U.S. anti-gang efforts being coordinated with those of other donors? Has the private sector stepped forward to complement any donor-led initiatives? Have any recipient countries been able to take over responsibility for programs that began with U.S. funding? How well is SICA coordinating regional anti-gang efforts?
- **New Tools.** To what extent are countries in the region using new tools—such as asset forfeiture and wiretapping—to go after the gangs? How has the Treasury Department's decision to sanction the MS-13 bolstered efforts to combat the gangs, both in the United States and in Central America?
- **U.S. Efforts and the Gang Truce in El Salvador.** Have any U.S. programs been revamped or scaled up in order to support the truce? How was USAID's decision

(...continued)

Executive Order 13581—"Blocking Property of Transnational Criminal Organizations," July 25, 2011.

⁸⁵ CRS interview with Treasury Department official, February 20, 2014.

⁸⁶ Geoffrey Ramsey, "Tracking El Salvador's Mara Salvatrucha in Washington, DC," *Insight Crime*, October 12, 2012.

⁸⁷ Geoffrey Ramsey, "El Salvador President: US 'Overestimating' MS-13," *Insight Crime*, October 11, 2012.

⁸⁸ Garrett, October 2012.

to stop funding grant programs in several “violence-free” municipalities due to avoid potential violations of E.O. 15381 been received in El Salvador? Should the truce fail, what might be the impact on security in that country and across the region?

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